

MEMORANDUM

TO: Cabinet Secretaries, Department Heads and Division Directors

FROM: Paul Jacobsen, Chief Secretary

DATE: March 1, 2002

SUBJECT: Procedure for 960 Hour Appointments of ERIP Employees for Both Employees and Contact Employee Positions

Attached is a form to use to request approval for 960 Hour (120 day) appointments for those ERIP employees who will be returning to work for the Commonwealth after retirement. The use of this form will provide an expedited approval process for these appointments, while ensuring that we have appropriate controls in place as required by the ERIP legislation.

Rules Concerning 960 Hour Appointments

These types of appointments, per Chapter 32, Section 91 M.G.L., are the re-hiring of employees who have retired from state service and are receiving a pension, either back into the position he/she vacated, to a different position in the same agency, or to a position in a different agency. These employees may not work beyond 960 hours in a given calendar year and must cease work when the total of their pension and the salary received under the 960 hour appointment reaches the annualized salary they received at the time of retirement. They are considered "intermittent" employees and are thus not eligible for benefits or paid leave, but they may receive step increases upon the completion of 52 weeks of work, and they are eligible for all collective bargaining increases as well. In calculating the starting salary of the employee, Gray Book rules for promotions, demotions, and transfers would be applied.

Procedure for Review and Approval:

The approval process, which will be in place until at least December 31, 2002, is as follows. It will apply only to 960 Hour Appointments of managers and non-managers who retired under the ERIP program:

- Agency Head completes form and forwards it through the Cabinet Secretary/Division Director to Paul Jacobsen, cc: Matt LeBretton, in the Governor's Personnel Office (via e-mail if possible).
- The Chief Secretary will review and forward the signed form to HRD, and an e-mail of approval to the Agency, Secretariat, FAD and HRD.
- The Secretariat should incorporate the 960 hour (120 day) appointment into its ERIP Personnel Backfill Plan, submitted separately to FAD. The salary of the appointee should fit within the backfill ceiling allocated to the Secretariat.

- HRD will review the request for proper salary/classification, establish a new position number, and issue final approval and start date to the agency by e-mail. Please note that the sum of the 2002 YTD salary received by the employee prior to retirement, the pension amount received in calendar 2002 and the salary earned in the 960 hour appointment cannot exceed the annualized 2002 salary the employee would have received had they not retired. For example: An employee occupies a position earning \$52,000 annually prior to retirement. He retires through ERIP on March 15, 2002, having earned \$11,000 to date. The total of the employee's pension and 960 hour appointment salary earned in 2002 cannot exceed \$41,000.

Please note that the 960 hour appointments of retired employees other than those covered under ERIP will not be subject to the above process, but rather are covered under the usual hiring process (through postings/waiver requests, NOA's, etc).

Any questions concerning this may be directed to Nick Schwab in the Governor's Personnel Office, at 617-727-3600.